



State of Alabama

Department of Child Abuse and Neglect Prevention



The ABC's of Mandatory Reporting of Child Abuse and Neglect for Alabama School Personnel

*Learning your legal obligations to reporting the signs of suspected child
abuse*

Overview



- History and Mission of the Alabama Department of Child Abuse and Neglect Prevention (ADCANP) & Prevent Child Abuse Alabama (PCAA)
- Define and identify the signs of suspected child abuse and neglect
- Role of a Mandatory Reporter
- Impact of Abuse
- Prevention of Abuse
- Erin's Law – efforts of state task force for child sexual abuse prevention
- Questions

History



- The Martin-Aldridge Child Abuse and Neglect Prevention Act adopted by Legislature in 1983
- Established the Department of Child Abuse and Neglect Prevention “The Children’s Trust Fund”

33 years of
prevention efforts!



Community-Based Child Abuse Prevention Programs



- Parent Education & Support
- Fatherhood Initiatives
- Home Visitation
- Community Awareness
- Respite Care
- School based
- Non-school based after school
- Mentoring

Department of Child Abuse & Neglect Prevention



- Community-Based Prevention Programs
- Public Policy Advocacy
- Public Education
- Network of Grantees
- Affiliated with National Organizations
 - National Alliance of Children's Trust & Prevention Funds
 - Prevent Child Abuse America

What is a Mandatory Reporter?



Any person whose profession brings them in contact with children on a daily basis is legally obligated to report signs of suspected child abuse or neglect.

- Employees at hospitals, clinics and sanitariums
- Social Workers
- Child Care Employees
- Clergy
- **School Teachers/Officials**
- Dentists
- Law Enforcement
- Peace Officers
- Mental Health Professionals
- Pharmacists
- Nurses
- Podiatrists
- Chiropractors
- Optometrists
- Osteopaths
- Coroners
- Medical Examiners
- Surgeons
- Physician
- Doctors

Added to Mandatory Reporter Law



- Physical Therapists
- Public and private K-12 Employees
- Employees of public and private institutions of postsecondary and higher education

Other Changes to Mandatory Reporter Law



- The statement “or cause reports to be made of the same” has been eliminated from the law.
- It is the responsibility of the mandatory reporter to make the report and follow up with a written report to the county DHR.

What is Child Abuse?



Harm or threatened harm to a child's health or welfare which can occur through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse, sexual exploitation or attempted sexual exploitation.

Different Types of Child Abuse

- Physical
- Sexual
- Emotional
- Neglect/ Failure to thrive



Physical Abuse



Abuse means harm or threatened harm to the health or welfare of a child through:

- Non-accidental physical injury
- Sexual abuse or attempted sexual abuse
- Sexual exploitation or attempted sexual exploitation
- Hitting
- Kicking
- Biting
- Burning
- Pushing
- Shaking
- Any other physical act that can cause injury to a child

Citation: Ala. Code § 26-14-1(1)

Signs to Look for with Physical Abuse



- Bruises
- Marks in the shape of an object
- Unexplained bruises, burns or cuts
- Fear of adults
- Destructiveness toward self or others
- Poor social skills
- Aggression
- Defiance
- Clothing that may be inappropriate

Sexual Abuse



- *Sexual abuse* includes:

- The employment, use, persuasion, inducement, enticement, or coercion of any child to engage in or having a child assist any other person to engage in any sexually explicit conduct
- Any simulation of the conduct for the purpose of producing any visual depiction of the conduct
- The rape, molestation, prostitution, or other form of sexual exploitation of children
- Incest with children

Citation: Ala. Code § 26-14-1(1)

- *Sexual exploitation* includes:

- Allowing, permitting, or encouraging a child to engage in prostitution
- Allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes

Citation: Ala. Code § 26-14-1(1)

Signs to Look for with Sexual Abuse



- Inappropriate displays of affection
- Unusual interest in or inappropriate sexual knowledge
- Over-compliance
- Pain during urination
- Difficulty walking or sitting
- Frequent vomiting
- Wetting pants

Erin's Law



- Erin Merryn – child sexual abuse victim turned advocate to pass legislation in each state
- Alabama passed Erin's Law 2015 legislative session and signed into law by Gov. Bentley on June 11, 2015
- Established Governor's Task Force on Child Sexual Abuse Prevention

Update on Erin's Law



Task Force on the Prevention of Child Sexual Abuse met during 2015 and presented Gov. Bentley with recommendations in Dec. 2015

- HB238 passed and signed by Gov. Bentley in May 2016 adding amendments to Erin's Law
- All K-12 Public schools (including Pre-K) shall establish a child sexual abuse prevention program
- The content of instruction shall be at the discretion of the local board as noted in Dr. Philip Cleveland's memo to City and County Superintendents
- Professional training component for school personnel added, requiring mandatory reporting training

Recent Alabama Headlines pertaining to teacher-student alleged inappropriate conduct



- Alabama teacher, coach arrested after 'touching' 5 female students
 - School system facing lawsuit after teacher allegedly offers "grades for sex"
 - Accused Alabama man's lawyer wants teacher-student sex law ruled unconstitutional
 - Female teacher arrested after accusation of having inappropriate relationships with two of her students
 - Middle school teacher fired, accused of inappropriate conduct with student
 - Former High School teacher arrested for sexual contact with student
 - Longtime Alabama educator arrested for sex with student, child porn possession
-
- Alabama had a higher rate of incidents of school employees sexually assaulting students than any other state in the nation according to a study compiled by a former U.S. department of education staffer

Emotional Abuse



- Emotional Abuse includes non-accidental mental injury.
 - Belittling
 - Terrorizing
 - Lack of nurture
 - Rejecting
 - Inconsistent parenting
 - Violent environment

Citation: Ala. Code § 26-14-1(1)

Signs to Look for with Emotional Abuse



- Depression or withdrawal
- Lack of emotion
- Lack of interest
- Speech, sleep or eating disorders
- Repetitive actions, such as rocking, sucking or biting
- Increased emotional needs

Neglect



Neglect means negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.

Citation: Ala. Code § 26-14-1(1)

- Physical neglect
- Educational neglect
- Emotional neglect

Signs to Look for with Neglect



- Clothing that is dirty, torn, poorly fitting or inappropriate for the weather
- Sleepiness
- Poor hygiene
- Untreated medical or dental problems
- Inappropriate responsibility for younger siblings
- Frequent tardiness or absences from school
- Apparent lack of supervision

A Child's Basic Needs



- Nutrition
- Sleep
- Shelter
- Cleanliness
- Medical care
- Safety
- Supervision
- Socialization



If you suspect abuse, what should you do?



- Trust your instincts
- Take notes
- Look at the facts
- Make a report using form:

DHR-FCS-1593 available at your county DHR office or available online.

http://dhr.alabama.gov/services/Child_Protective_Services/Written_Report_MandatoryReporters.aspx



DHR On-line Mandatory Training

- Link under Child Protective Services
 - www.dhr.alabama.gov
- Link under CTF web site
 - Training opportunities
 - www.ctf.alabama.gov





STATE OF ALABAMA DEPARTMENT OF HUMAN RESOURCES
WRITTEN REPORT OF SUSPECTED CHILD ABUSE/NEGLECT
 Please print or type all known information. The Child Abuse/Neglect Reporting Law and instructions are explained on the back of this form.

SECTION I - CHILDREN ALLEGEDLY ABUSED OR NEGLECTED

NAME (First, Middle Initial, Last)	SEX	ETHNICITY	DATE OF BIRTH/AGE
1. _____	<input type="checkbox"/> M <input type="checkbox"/> F	_____	_____
2. _____	<input type="checkbox"/> M <input type="checkbox"/> F	_____	_____
3. _____	<input type="checkbox"/> M <input type="checkbox"/> F	_____	_____
4. _____	<input type="checkbox"/> M <input type="checkbox"/> F	_____	_____
5. _____	<input type="checkbox"/> M <input type="checkbox"/> F	_____	_____
6. _____	<input type="checkbox"/> M <input type="checkbox"/> F	_____	_____

ADDRESS

Street Address _____ City _____ State _____ Zip _____ Telephone Number _____

SECTION II - OTHER PERSONS LIVING WITH THE CHILDREN (Include parents/custodians and other children in the home)

NAME (First, Middle Initial, Last)	DATE OF BIRTH / AGE	ETHNICITY	RELATIONSHIP TO THE CHILDREN
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

SECTION III - PERSON(S) ALLEGEDLY RESPONSIBLE FOR THE ABUSE OR NEGLECT

NAME (First, Middle Initial, Last)	SEX	ETHNICITY	DATE OF BIRTH / AGE
1. _____	<input type="checkbox"/> M <input type="checkbox"/> F	_____	_____
Street Address _____ City _____ State _____ Zip _____ Telephone Number _____	Relationship To Children Allegedly Abused/Neglected _____		
2. _____	<input type="checkbox"/> M <input type="checkbox"/> F	_____	_____
Street Address _____ City _____ State _____ Zip _____ Telephone Number _____	Relationship To Children Allegedly Abused/Neglected _____		

SECTION IV - ABUSE OR NEGLECT ALLEGATIONS (Describe what happened, how it affected the children, and the date(s) occurred, if known.)

Did you see the abuse or neglect when it occurred? ☐ Yes ☐ No If no, how did you find out about it? _____

Please identify other people who witnessed the abuse/neglect or who may have information about the child's or family's situation.

Name	Address	Telephone #	Relationship to Children
1. _____	_____	_____	_____
2. _____	_____	_____	_____

SECTION V - OTHER PERTINENT INFORMATION

SECTION VI - REPORTER

Name	Address	Telephone Number	Title/Agency/Relationship To Children
Did you verbally report the allegations to the Department of Human Resources or law enforcement? <input type="checkbox"/> Yes (specify to whom in section below) <input type="checkbox"/> No			
Signature _____	Name _____	Name of County DHR, Police Department, or Sheriff's Department _____	Date Reported _____
Date _____		Date _____	

For DHR Use Only County _____ Case # _____ Date Report Received _____

What is your liability?



All persons reporting suspected child abuse or neglect (whether required by law or not) are presumed to be acting in good faith. Alabama law provides immunity from liability for actions by mandatory reporters.

Citation: Ala. Code § 26-14-9

It is not necessary to prove that the abuse or neglect happened. You must have a reasonable suspicion.

Is your job protected?



“A public or private employer who discharges, suspends, disciplines, or penalizes an employee solely for reporting suspected child abuse or neglect ... shall be guilty of a Class C misdemeanor”

Citation: Ala. Code § 26-14-3(g)

How to File a Report



- Phone the Alabama Department of Human Resources (DHR) in your county
 - Montgomery (334) 293-3305
 - Birmingham (205) 423-4850
 - Mobile (251) 450-7018
 - Huntsville (256) 427-6200



Reports can also go to the DHR State Family Services Division (334) 242-9500

If a life-threatening situation exists - DIAL 911

What information should you include in a Report?



- Child's name & location
- Names & addresses of parents or guardians
- Type and extent of child's injuries
- Information about previous injury that might be related
- Your name and the name of organization, school or agency
- Name of person or persons responsible for the abuse

Penalties for Failure to Report



“Any person who shall knowingly fail to make the report required by this chapter shall be guilty of a misdemeanor and shall be punished by a sentence of not more than 6 months’ imprisonment or a fine not more than \$500.00.”

Citation: Ala. Code § 26-14-13



How Common is Child Abuse & Neglect Nationally?*



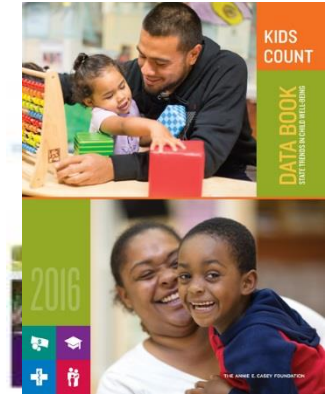
- 4 million (estimate) reports of child abuse or neglect were reported in 2015
- 683,000 children classified as being maltreated (estimate)
 - 75% neglected – 17% physically abused
 - 8.3% sexually abused
- 1,670 children died in the United States in 2015 from abuse & neglect
- 1,670 fatalities – 21% under the age of 1

*NCANDS – Children's Bureau

Alabama's Kids



- Alabama is ranked 46th in the nation based on 10 key indicators of child well-being
 - Low-birth weight babies
 - Infant mortality rate
 - Child death rate
 - Teen death rate
 - Teen birth rate
 - High school drop out rate
 - Teens not attending school & not working
 - Children living in families where no parent has a full time/year round job
 - Children in poverty
 - Children in single parent families



Source: Annie E. Casey Foundation's 2016 KIDS Count Data Book
See also the Alabama Kids Count Data Book for 2015 for additional state statistics.

www.alavoices.org

The Alabama Story – 2015



- 30,647 reports made – up 17%
- 8,466 victims
- 39.5% Neglect
- 52% Physical Abuse
- .24% Psychological Abuse
- 17.4% Sexual Abuse



13 child deaths due to abuse and neglect

Most indicated abuse victims in Alabama are under the age of four

Long term effects of child abuse



- Learning disorders or speech deficits
- Dropping out of school
- Sexually transmitted diseases
- Teenage pregnancy
- Substance abuse
- Unemployment
- Crime and violence
- Brain damage
- Suicide
- Depression, anxiety or low self-esteem



Risk Factors for Abuse

- Living at or below the poverty level
- Lack of high school diploma
- Mental Illness
- Abuse during childhood
- Lack of knowledge of effective parenting techniques
- Lack of understanding child development
- Substance abuse
- Past unplanned or premarital pregnancy
- Abuse from their partner
- Unemployment

Community Action and Prevention



- Promote community awareness
- Educate parents
- Educate children
- Provide role models and dependable child care
- Work with community leaders
- Support special programs
- Support children's legal rights

What Child Maltreatment Means to Society



- Annual cost of child abuse and neglect is \$124 Billion nationally
- Annual cost to Alabama is over \$2.3 Billion
- A child who is abused or neglected is 59% more likely to be arrested as a juvenile than other children
- An estimated one-third of abused and neglected children will eventually victimize their own children



“Childhood should be carefree, playing in the sun: not living a nightmare in the darkness of the soul.”

Dave Pelzer

“Child abuse casts a shadow the length of a lifetime.”

Herbert Wood



Stand Up Step Forward

<https://youtu.be/YIZQdPe3qO4>

Contact Information



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Prevent Child Abuse America
www.preventchildabuse.org



National Alliance of Children's Trust & Prevention Funds
www.ctf.alliance.org